

## **EXHIBIT C**

**Toth, Ashley L.**

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**From:** Toth, Ashley L.  
**Sent:** Friday, October 4, 2024 3:27 PM  
**To:** Yatvin, Alan; Andrew Shubin; Santarone, Joseph J.  
**Cc:** Cohen, Noah S; Pogolowitz, Rachel  
**Subject:** RE: Plaintiff's Response to Defendant's RFPD's

Alan,

Our responses to RPD were provided to you approximately 4 months ago and your office downloaded the file. If you are missing that from the file, I can re-provide the documents. They are bates stamped Calderaio001-896. Please confirm.



**Ashley L. Toth**

*Attorney at Law*

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**From:** Yatvin, Alan <ayatvin@wgpllp.com>  
**Sent:** Friday, October 4, 2024 2:58 PM  
**To:** Toth, Ashley L. <ALToth@MDWCG.com>; Andrew Shubin <shubin@shubinlaw.com>; Santarone, Joseph J. <JJSantarone@MDWCG.com>  
**Cc:** Cohen, Noah S <ncohen@wgpllp.com>; Pogolowitz, Rachel <rpogolowitz@wgpllp.com>  
**Subject:** RE: Plaintiff's Response to Defendant's RFPD's

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Ashely-

We will get back to you on depositions. We have scheduling issues. Also, you are seeking to depose well in excess of the 10 deposition limit under the rules, contrary to the representation made in the Rule 26(f) report to the Court, without even seeking to discuss this with us.

In the meantime, we cannot proceed with actually holding depositions until you have provided responses to our **March 1<sup>st</sup>** RFP, where you have still not provided the production you were withholding pending a confidentiality order, which was approved by the Court **May 28, 2024**. There have been several follow-ups asking for status of this production with no response. If we don't get a prompt commitment for when in the very near future this long overdue production will be provided, we are going to have ask the Court to intervene.

Please feel free to call if you would like to discuss.

Alan

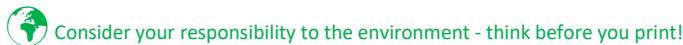
**Alan L. Yatvin**  
Attorney at law

**PLEASE NOTE NEW FIRM NAME AND EMAIL ADDRESS**

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**From:** Toth, Ashley L. <[ALToth@MDWCG.com](mailto:ALToth@MDWCG.com)>  
**Sent:** Wednesday, October 2, 2024 1:24 PM  
**To:** Andrew Shubin <[shubin@shubinlaw.com](mailto:shubin@shubinlaw.com)>; Santarone, Joseph J. <[JJSantarone@MDWCG.com](mailto:JJSantarone@MDWCG.com)>  
**Cc:** Cohen, Noah S <[ncohen@wgpllp.com](mailto:ncohen@wgpllp.com)>; Yatvin, Alan <[ayatvin@wgpllp.com](mailto:ayatvin@wgpllp.com)>  
**Subject:** [EXTERNAL] RE: Plaintiff's Response to Defendant's RFPD's

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Good afternoon all,

Attached please find Defendant's deposition list. Please confirm your office's availability and whether you will be producing the following individuals for deposition.

Thank you,  
Ashley



**Ashley L. Toth**

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**From:** Andrew Shubin <[shubin@shubinlaw.com](mailto:shubin@shubinlaw.com)>  
**Sent:** Thursday, September 19, 2024 3:00 PM  
**To:** Santarone, Joseph J. <[JJSantarone@MDWCG.com](mailto:JJSantarone@MDWCG.com)>; Toth, Ashley L. <[ALToth@MDWCG.com](mailto:ALToth@MDWCG.com)>  
**Cc:** [ncohen@wgpllp.com](mailto:ncohen@wgpllp.com); Yatvin, Alan <[ayatvin@wgpllp.com](mailto:ayatvin@wgpllp.com)>  
**Subject:** Plaintiff's Response to Defendant's RFPD's

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Joe and Ashley

I attach plaintiff's objections and response to defendant's first document request. You can access the production using this link: <https://www.dropbox.com/scl/fo/dl17of4dsjkyxp6tz688q/AGRJ384SvK9rUhg5e4Wdsgl?rlkey=vu3miriav6agnm2wvb391sjs3&st=xf4z15y5&dl=0>

The password is: Pw: 2:23-cv-04218-MSG

The link expires 10/19/24

Sorry for the delay. We are still waiting for defendant's response to our RFPD. Can you please touch base with us over the next day or two regarding defendant's outstanding responses?

Thanks for your attention to this matter.

Best, Andy

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